

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

CHRISTY J. MATHIS, et al.

Plaintiffs,

Case No.: 3:22-cv-47

v.

MOSINEE SCHOOL DISTRICT, et al.

Defendants

PLAINTIFFS' MOTION FOR ENTRY OF DEFAULT

COMES NOW Plaintiffs, Christy J. Mathis and Paul J. Mathis, and by their attorneys, Walcheske & Luzi, LLC, hereby motions this Court to direct the Clerk to enter default against Defendants, Brian Brzezinski, Julie Brzezinski, and A.B., pursuant to FED. R. CIV. P. 55(a).

On July 22, 2022, an affidavit of service was filed with this Court related to Defendant Brian Brzezinski, stating, among other things, that Defendant Brian Brzezinski was served with a copy of the Summons and Amended Complaint in this matter on July 15, 2022. (ECF No. 45.)

Similarly, on July 22, 2022, an affidavit of service was filed with this Court related to Defendant Julie Brzezinski, stating, among other things, that Defendant Julie Brzezinski was served with a copy of the Summons and Amended Complaint in this matter on July 15, 2022. (ECF No. 46.)

Finally, on July 22, 2022, an affidavit of service was filed with this Court related to Defendant A.B., stating, among other things, that Defendant A.B. was served with a copy of the Summons and Amended Complaint in this matter on July 15, 2022. (ECF No. 47.)

Defendants' Answers or other responsive pleadings to Plaintiffs' Amended Complaint were due on or before August 5, 2022 – twenty-one (21) days after July 15, 2022. *See* FED. R. CIV. P. 12(a)(1)(A)(i) (stating that a “defendant must serve an answer ... within 21 days after being served with the summons and complaint”).

To date, Defendants have not filed an Answer or other responsive pleading to Plaintiff's Complaint. Therefore, because the time for Defendants to do so has passed, the Clerk must enter default against Defendants pursuant to FED. R. CIV. P. 55(a).

WHEREFORE, Plaintiffs respectfully request that this Court grant their Motion.

Dated this 22nd day of September, 2022

WALCHESKE & LUZI, LLC
Counsel for Plaintiff

s/ *Kirsten H. Hendra*
Kirsten H. Hendra, State Bar No. 1099097

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